

SENATE BILL REPORT

SHB 1377

As of March 30, 2017

Title: An act relating to improving students' mental health by enhancing nonacademic professional services.

Brief Description: Improving students' mental health by enhancing nonacademic professional services.

Sponsors: House Committee on Education (originally sponsored by Representatives Ortiz-Self, Stonier, Santos, Lovick, Gregerson, Peterson, Ryu, Appleton, Fitzgibbon, Goodman, Bergquist and Doglio).

Brief History: Passed House: 3/07/17, 57-40.

Committee Activity: Early Learning & K-12 Education: 3/27/17, 3/28/17 [DPA-WM].
Ways & Means: 3/30/17.

Brief Summary of Amended Bill

- Defines and describes the roles of school counselors, psychologists, and social workers.
- Requires school districts with 2000 or more students to provide a minimum of six hours per year, within existing resources, for school counselors, psychologists, and social workers to collaborate with mental health service providers beginning in the 2018-19 school year.
- Establishes a grant program to assist school districts with adopting and implementing the mental health professional collaboration time.
- Creates a taskforce on: the need for school counselors, psychologists, and social workers; the capacity to meet the need; and the preparation of these professionals.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Zeiger, Chair; Fain, Vice Chair; Rolfes, Ranking Minority Member; Billig, Mullet, Rivers and Warnick.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Ailey Kato (786-7434)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Amanda Cecil (786-7460)

Background: School Counselors, Psychologists, and Social Workers. Certificated instructional staff in public schools include both teachers and other professionals, called educational staff associates, who meet certification requirements adopted by the Professional Educator Standards Board (PESB). Educational staff associates include school counselors, psychologists, and social workers.

State law defines a school counselor as a professional educator who holds a valid school counselor certification as defined by PESB. The purpose and role of the school counselor is to plan, organize, and deliver a comprehensive school guidance and counseling program that personalizes education and supports, promotes, and enhances the academic, personal, social, and career development of all students. State law does not currently define school psychologist or social worker.

Youth Suicide Screening and Referral. School counselors, psychologists, and social workers must complete a training program on youth suicide screening and referral as a condition of certification. PESB must adopt standards for the minimum content of the training in consultation with the Office of Superintendent of Public Instruction (OSPI) and the Department of Health. The training requirement applies to educational staff associate certificates issued or renewed on or after July 1, 2015.

Mental Health First Aid Training. Subject to appropriation, the Department of Social and Health Services must provide funds for mental health first aid training targeted at teachers and educational staff. Instruction provided will describe common mental disorders that arise in youth, their possible causes and risk factors, the availability of evidence-based medical, psychological, and alternative treatments, processes for making referrals for behavioral health services, and methods to effectively render assistance in both initial intervention and crisis situations.

First-Class and Second-Class Districts. OSPI is responsible for the classification and numbering system of school districts. Any school district that has a student enrollment in its public schools of 2000 or more students is a school district of the first class. School districts with fewer than 2000 students are school districts of the second class. In the 2016-17 school year, 105 of Washington's 295 districts were classified as districts of the first class. These districts enrolled more than 89 percent of the statewide student population.

Summary of Amended Bill: Roles and Duties of School Counselors, Psychologists, and Social Workers. All of these professionals are involved in multitiered systems of support for academic and behavioral skills. These professionals focus on student mental health, work with at-risk and marginalized students, perform risk assessments, and collaborate with mental health professionals to promote student achievement and create a safe learning environment. In order for these professionals to have the time available to prioritize these functions, in

addition to other activities requiring direct student contact, responsibilities such as data input and data tracking should be handled by nonlicensed, noncertified staff, where possible.

School Counselor. A professional who works with developing and leading a comprehensive guidance and counseling program to focus on the academic, career, personal, and social needs of all students.

School Psychologist. A professional educator who holds a valid school psychologist certification as defined by PESB. Pursuant to the National Association of School Psychologists' model for comprehensive and integrated school psychological services, school psychologists deliver services across ten domains of practice. Two domains permeate all areas of service delivery: data-based decision making and consultation and collaboration. Five domains encompass direct and indirect services to children and their families. The three foundational domains include: knowledge and skills related to diversity in development and learning; research and program evaluation; and legal and ethical practice. School psychologists carry out special education evaluation duties, among other things.

School Social Worker. A professional in the fields of social work and education who holds a valid school social worker certification as defined by PESB. The purpose and role of the school social worker is to provide an integral link between school, home, and community in helping students achieve academic and social success. This is accomplished by removing barriers and providing services that include: mental health and academic counseling, crisis prevention and intervention, case management, collaboration, and support and advocacy for students and parents. School social workers work directly with a variety of people at various levels in the educational system. They provide leadership and professional expertise regarding the formation of school discipline policies and procedures, crisis management, the implementation of social-emotional learning, and other support services. School social workers promote and support students' health, academic, and social success with counseling and support, and by providing and coordinating specialized services and resources.

Professional Collaboration. Within existing resources, beginning in the 2018-19 school year, first-class school districts must provide a minimum of six hours of professional collaboration per year, preferably in person, for school counselors, social workers, and psychologists that focuses on the following:

- recognizing signs of emotional or behavioral distress in students including, but not limited to, indicators of possible substance abuse, violence, and youth suicide;
- screening;
- accessing current resources; and
- making appropriate referrals.

This professional collaboration must include at least one classroom teacher, representing the district's teachers and selected by the district superintendent, for the purpose of improving the partnership between the district's teachers and educational staff associates.

School districts that have mental health centers in their area must collaborate with local licensed mental health service providers. Those districts without a mental health center in their area must collaborate via telephone or other remote means that allow for dialogue and discussion. By collaborating regularly, school districts are not put in a position that they

must obtain substitutes or otherwise expend additional funds. This local connection will also help foster a connection between school personnel and the mental health professionals in the community.

Second-class districts are encouraged, but not required, to collaborate and provide professional collaboration.

Professional Collaboration Lighthouse Grant Program. Subject to appropriation, a grant program is established to assist school districts with early adoption and implementation of mental health professional collaboration. OSPI must designate two school districts as lighthouse school districts to serve as resources and examples of best practices. The program must focus on recognizing signs of emotional or behavioral distress in students. OSPI must award grants to:

- each school district designated as a lighthouse district; and
- at least four school districts wishing to implement mental health professional collaboration time in the 2017-18 school year.

OSPI must prioritize an even mix of rural school districts and urban or suburban school districts. Grant funds may be used for: providing technical assistance to school districts; designing and implementing a professional collaboration program; developing approaches for accessing resources external to a school district; collaborating with local licensed mental health service providers; identifying successful methods of communicating with students and parents; conducting site visits; and providing supplemental materials. These provisions expire August 1, 2019.

Taskforce on School Counselors, Psychologists, and Social Workers. PESB must convene and provide staff support for a taskforce to review the following:

- the projected need of school districts for school counselors, psychologists, and social workers;
- the current capacity of the state for meeting this need;
- alternative certification routes for school counselors and social workers; and
- preparation programs to determine whether there is proper preparation to respond to the mental health and safety needs of students, and to provide students with necessary social and emotional supports.

The taskforce must reports its finding and recommendations by December 1, 2017. The following must appoint taskforce members:

- the Majority Leader in the Senate must appoint one member from the Early Learning and K-12 Education Committee and the Speaker of the House of Representatives must appoint one member from the Education Committee, each from different political parties;
- the Governor must appoint one member representing preparation programs;
- OSPI must appoint one member;
- PESB must appoint one member;
- PESB must appoint one member each from associations representing: school counselors; school psychologists; school social workers; educators; and principals—appointments must be from lists of candidates provided by the associations.

These provisions expire July 1, 2018.

Immunity. This act does not create any civil liability on the part of the state or any state agency, officer, employee, agent, political subdivision, or school district.

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S):

- Requires that the professional collaboration between school counselors, social workers, and psychologists include at least one classroom teacher, representing the district's teachers and selected by the district superintendent, for the purpose of improving the partnership between the district's teachers and educational staff associates.
- Requires the Majority Leader in the Senate, rather than the President of the Senate, to appoint one member from the Early Learning and K-12 Education Committee to the taskforce.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: Children's mental health issues are intensifying and under addressed. Students across the state are facing many mental health issues, which can lead to tragedies such as suicide and violence. School counselors, psychologists, and social workers can help, but they need time to collaborate with mental health providers in the community. These professionals already collaborate, but this bill makes this a priority. This bill shifts away from crisis mode to one that focuses on prevention and early intervention. Teachers should be allowed to join this collaboration time. This bill takes critical steps in defining the roles of school counselors, psychologists, and social workers and providing integrated student supports.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Lillian Ortiz-Self, Prime Sponsor; Seth Dawson, National Alliance on Mental Illness, NAMI Washington; Amanda Shipman, Washington State PTA; Alexandra Franks-Thomas, Washington State Association of School Psychologists; Sherri Bentley, Washington State Association of School Psychologists; Julie Sullen Sizing, Washington Association of School Social Workers/Washington Chapter of National Association of SW; Danise Ackelson, Office of Superintendent of Public Instruction; Michael Hatchett, Washington Council for Behavioral Health.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):
No one.